UNITED STATES BANKRUPTCY COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: ROBERT VINCENT ZIELINSKI- : CHAPTER 13

WRIGHT

Debtor(s)

•

CHARLES J. DEHART, III

STANDING CHAPTER 13 TRUSTEE

Movant

.

VS.

:

ROBERT VINCENT ZIELINSKI-

WRIGHT

Respondent(s) : CASE NO. 5-18-bk-02050

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 18th day of June, 2018, comes Charles J. DeHart, III, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor(s)' plan for the following reason(s):

- 1. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(a)(1) in that the debtor(s) has not submitted all or such portion of the disposable income to the Trustee as required.
- 2. Debtor(s)' plan violates 11 U.S.C. Sec. 1322(b)(1) in that the plan classifies unsecured claims but unfairly discriminates certain claims in the designation. More specifically, the plan provides for payment of:
 - a. Student loan
 - 3. The Trustee avers that debtor(s)' plan is not feasible based upon the following:
 - a. The plan is underfunded relative to claims to be paid 100% plan.
- 4. Trustee avers that debtor(s)' plan is not feasible and cannot be administered due to the lack of the following:
 - a. 2017 Federal Income Tax return.

WHEREFORE, Trustee alleges and avers that debtor(s) plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Charles J. DeHart, III Standing Chapter 13 Trustee 8125 Adams Drive, Suite A Hummelstown, PA 17036 (717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 25th day of June, 2018, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Harrisburg, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Jason Provinzano, Esquire 16 W. Northampton Street Wilkes Barre, PA 18701

/s/Deborah A. Behney
Office of Charles J. DeHart, III
Standing Chapter 13 Trustee